

JS 44C/SDNY
REV. 2/2014

JUDGE CROTTY

CIVIL COVER SHEET

14 CV

1700

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

MAR 12 2014

PLAINTIFFS

Government Employees Insurance Company;
Starr Indemnity and Liability Company (as successor in interest to
Republic Insurance Company)

DEFENDANTS

W.R. Grace & Co. Asbestos Personal Injury Trust; Harry Huge, Lewis Sifford and Dean Trafelet (in their capacity as
Chapter 11 Trustees of the W. R. Grace & Co. Asbestos Personal Injury Trust); W. R. Grace & Co. Asbestos Property
Damage Trust; Richard Schiro (Class 7a Trustee) and Edward B. Cottingham, Jr. (Class 7b Trustee) (in their
capacity as Chapter 11 Trustees of the W.R. Grace & Co. Asbestos Property Damage Trust); Doe Insurers 1-50

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Mendes & Mount, LLP, 750 Seventh Avenue, New York, NY 10019,
(212) 261-8000

ATTORNEYS (IF KNOWN)

Anderson Kill, P.C., 1251 Avenue of the Americas, New York, NY 10020, (212) 278-1000 (for WRG Asbestos
PI Trust, Harry Huge, Lewis Sifford, Dean Trafelet); Cox Smith, 112 E. Pecan Street, Suite 1800, San Antonio,
TX 78205, (210) 554-5275 and Barnwell Whaley Patterson & Helms, LLC, 288 Meeting Street, Charleston, SC
29401, (843) 577-7700 (for WRG Asbestos PD Trust, Richard Schiro, and Edward B. Cottingham, Jr.)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Declaratory Relief (under NY CPLR § 3001)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____Is THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> MED MALPRACTICE	<input type="checkbox"/> 620 OTHER FOOD &	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> DRUG	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> SEIZURE OF		<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT	<input type="checkbox"/> PROPERTY		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 21 USC 881		<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> LIABILITY		<input type="checkbox"/> LIQUOR LAWS		<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> PERSONAL PROPERTY	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT		<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> (RICO)
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 660 OCCUPATIONAL	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> SAFETY/HEALTH		<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE	<input type="checkbox"/> 380 OTHER PERSONAL	<input type="checkbox"/> 690 OTHER		<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> PROPERTY DAMAGE			<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> INJURY	<input type="checkbox"/> PRODUCT LIABILITY			<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> OF VETERAN'S					<input type="checkbox"/> 875 CUSTOMER
<input type="checkbox"/> BENEFITS					<input type="checkbox"/> CHALLENGE
<input type="checkbox"/> STOCKHOLDERS					<input type="checkbox"/> 12 USC 3410
<input type="checkbox"/> SUITS					<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> OTHER					<input type="checkbox"/> ACTIONS
<input type="checkbox"/> CONTRACT					<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> CONTRACT					<input type="checkbox"/> 892 ECONOMIC
<input type="checkbox"/> PRODUCT					<input type="checkbox"/> STABILIZATION ACT
<input type="checkbox"/> LIABILITY					<input type="checkbox"/> MATTERS
<input type="checkbox"/> 196 FRANCHISE					<input type="checkbox"/> 894 ENERGY
					<input type="checkbox"/> ALLOCATION ACT
					<input type="checkbox"/> 895 FREEDOM OF
					<input type="checkbox"/> INFORMATION ACT
					<input type="checkbox"/> 900 APPEAL OF FEE
					<input type="checkbox"/> DETERMINATION
					<input type="checkbox"/> UNDER EQUAL
					<input type="checkbox"/> ACCESS TO JUSTICE
					<input type="checkbox"/> 950 CONSTITUTIONALITY
					<input type="checkbox"/> OF STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

 DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☒ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF <input type="checkbox"/> 5 <input type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Government Employees Insurance Company, 5260 Western Ave, Chevy Chase, MD 20815
Starr Indemnity and Liability Company (as successor in interest to Republic Insurance Company), 399 Park Avenue 8th Floor, New York, NY 10022

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

WRG Asbestos PI Trust, c/o ARPC 1220 19th Street NW, Suite 700, Washington, DC 20036
WRG Asbestos PD Trust, c/o Wilmington Trust, 1100 N. Market Street, Wilmington, DE 19890 and
c/o The Cottingham Law Firm, 317 Wingo Way, Suite 303, P.O. Box 810, Mt. Pleasant, SC 29405.
Harry Huge, Lewis Sifford, Dean Trafelet, Richard Schiro, and Edward B. Cottingham, Jr. are named solely in their capacity as trustees and are nominal parties not required to join

DEFENDANT(S) ADDRESS UNKNOWN


REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Doe Insurers 1-50

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE SIGNATURE OF ATTORNEY OF RECORD

3/12/14



RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO☒ YES (DATE ADMITTED Mo. 5 Yr. 1980)

Attorney Bar Code # RH-2345

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge



Ruby J. Krajick, Clerk of Court by Deputy Clerk, DATED

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)